

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kip Van Steenburg

Serial No.: 09/660,433

Art Unit: 3633

Filed: September 7, 2000

Examiner: M. Trettel

For: Reissue of U.S. Patent No. 5,802,641
Issued September 8, 1998
on U.S. Application Serial No. 813,708
Filed March 7, 1997

SUPPLEMENTAL DECLARATION BY INVENTOR

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Kip Van Steeburg declare that I am a citizen of the United States of America; that I verily believe myself to be the original, sole and first inventor of the invention described and claimed in U.S. Letters Patent No. 5,802,641 (hereinafter '641 PATENT) and in the reissue specification filed September 7, 2000 and for which invention I solicit a reissue patent; that I do not know and do not believe that said invention was ever known or used in the United States of America before my invention thereof; and that I verily believe the '641 PATENT to be wholly or partly inoperative or invalid by reason of our claiming less than I had a right to claim in the '641 PATENT.

I request that I be permitted to amend the '641 PATENT and be granted a reissue patent; that errors rendering the '641 PATENT wholly or partly inoperative or invalid caused the claims of such patent to be of more narrow scope than necessary to distinguish over the prior art; and that such errors arose without any deceptive intent.

Specifically, I at least claimed less than I had a right to claim in the '641 PATENT by limiting patent claim 1 to the supporting device to one having: "a clamping device for mounting a proximate end of the support to a mounting device -- and selectively ... clamping and releasing motion about said first axis." The first axis is recited as being transverse to the longitudinal axis of the support device. Attached hereto are copies of the independent claims being added to the

patent in a format showing their differences from claim 1 of the patent and wherein it is clear that limiting language in patent claim 1 has been removed.

I have reviewed and understand the contents of the specification and claims as amended herein.

All errors being corrected in this reissue application up to the time of filing of this supplemental declaration arose without any deceptive intention on the part of the applicant.

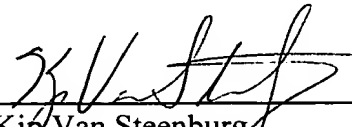
I acknowledge my duty to disclose information of which I am aware which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56; and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application for reissue or any patent issuing thereon.

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Nancy J. Harrison, Reg. No. 27083; Dilip A. Kulkarni, Reg. No. 27510; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; and Paul B. Hunt, Reg. No. 37154 my attorneys, with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith; and I specify that communications regarding this application to reissue be directed to:

Richard D. Conard
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2/7/02
Date

DCDS01 MMN 55323v1


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Claim [1] 14 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a support device[, having a longitudinal axis, for supporting]

a leg cradle coupled to the support device and moveable about a first plurality of axes relative to the support device;

a clamping device [for mounting a proximate end of said] coupling the support device to a mounting device [having a first axis transverse to said longitudinal axis and selectively simultaneously clamping and releasing motion of said support device about said first axis and] , the clamping device being configured to clamp the motion of the support device relative to the mounting device and to release the support device for rotative movement relative to the mounting device about a second [axis transverse to both said first axis and said longitudinal axis, said support device fixed in said clamping device from rotation about said longitudinal axis] plurality of axes, the leg cradle being moveable about the first plurality of axes when the support device is clamped against movement about the second plurality of axes;

an actuator device to move the [for actuating said] clamping device to [simultaneously] selectively clamp and release the [said] support device [and said] relative to the mounting device; and

an operator device remote from the [said] clamping device and remote from the [said] actuator device the operator device being operatively coupled to the [for operating said] actuator device [to enable said support device to move jointly about both said first and said second axes in the abduction and lithotomy dimensions], the operator device being configured to operate the actuator device.

Claim [1] 24 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a mounting [support] device, [having a longitudinal axis, for supporting]

an elongated member,

a leg [cradle;] holder adapted to engage and support at least a portion of a leg of a patient,

a coupler configured to couple the leg holder to the elongated member, the coupler being configured to permit adjustment of a position of the leg holder relative to the elongated member about a first plurality of axes,

a locking [clamping] device [for mounting a proximate end of said] coupled

[support device] to the [a] mounting device and coupled to the elongated member, the locking [having a first axis transverse to said longitudinal axis and selectively simultaneously clamping and releasing motion of said support] device being movable between a locking position in which the elongated is fixed [about said first axis and] relative to the mounting device and a releasing position in which the elongated is rotatable about a second [axis transverse to both said first axis and said longitudinal axis, said support device fixed in said clamping device from rotation about said longitudinal axis] plurality of axes relative to the mounting device,

[an actuator device for actuating said] clamping device to simultaneously selectively clamp and release said support device and said device[;] and

an operator device [remote from said clamping device and said actuator device] coupled to the elongated member and operatively coupled to the locking device, the coupler being positioned to lie between the operator device and the locking device, the operator device being moveable [for operating said actuator device to enable said support device] to move the locking device between the locking position and the releasing position [jointly about both said first and said second axes in the abduction and lithotomy dimensions].

Claim [1] 48 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a tube, [support]

a mounting device, [having a longitudinal axis, for supporting a leg cradle;]

a clamping device coupling the tube to the [for] mounting device, the clamping device being moveable between a normal condition having the tube fixed relative to the mounting device and a release condition in which the tube is rotatable relative to the mounting [a proximate end of said support device to a mounting device having a first axis transverse to said longitudinal axis and

selectively simultaneously clamping and releasing motion of said support] device about a plurality of axes [said first axis and] ,

a leg holder coupled to the tube at a first distance away from the [about a second axis transverse to both said first axis and said longitudinal axis, said support device fixed in said] clamping device [from rotation about said longitudinal axis; an actuator device for actuating said clamping device to simultaneously selectively clamp and release said support device and said mounting device;], and

an operator device coupled to the tube at a second distance away [remote] from the [said] clamping device, [and said actuator device] the second distance being greater than the first distance [for operating said actuator device to enable said support device to move jointly about both said first and said second axes in the abduction and lithotomy dimensions], the operator device being moveable to move the clamping device between the normal condition and the release condition.

Claim [1] 72 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a [support] mounting device[, having a longitudinal axis, for supporting]

a hollow tube having a base, the tube being lockable relative to the mounting device and releasable to rotate relative to the mounting device about a plurality of axes,

a clamp spaced apart from the mounting device and coupled to the tube such that the tube passes through the clamp,

a leg holder coupled to the clamp [cradle];

a handle moveable relative to the tube and

[a clamping device for mounting a proximate end of said

support device to a mounting device having a first axis transverse to said longitudinal axis and selectively simultaneously clamping and releasing motion of said support device about said first axis and about a second axis transverse to both said first axis and said longitudinal axis, said support device fixed in said clamping device from rotation about said longitudinal axis]

an actuator coupled to the handle, at least a portion of the [device for actuating said clamping device to simultaneously selectively clamp and release said support device and said device; and

an operator device remote from said clamping device and said] actuator extending through the bore of the tube, the portion of the [device for operating said] actuator [device to enable said support device to move jointly about both said first and said second axes in the abduction and lithotomy dimensions] extending through the bore also passing through the clamp, the handle being moveable to move the actuator to release the tube for rotation about the plurality of axes relative to the mounting device.

Claim [1] 81 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a mounting [support] device,

an elongated element lockable relative to the mounting device and releasable to rotate relative to the mounting device about a plurality of axes, [having a longitudinal axis, for supporting a leg cradle;

a clamping device for mounting a proximate end of said]

a handle coupled to the elongated element and moveable relative to the elongated element to release the elongated element to allow for rotative repositioning of the elongated element about the plurality of axes

[support device to a mounting device having a first axis transverse to said longitudinal axis and selectively simultaneously clamping and releasing motion of said support device about said first axis and about a second axis transverse to both said first axis and said longitudinal axis, said support device fixed in said clamping device from rotation about said longitudinal axis;

an actuator for actuating said clamping device to simultaneously selectively clamp and release said support device and said] relative to the mounting device; and

a leg holder coupled to the elongated member between the handle and the mounting devices, the leg holder being moveable relative to the elongated element when the elongated element is locked relative to the mounting device [an operator device remote from said clamping device and said actuator device for operating said actuator device to enable said support device to move jointly about both said first and said second axes in the abduction and lithotomy dimensions].

Claim [1] 91 A leg [holder system for simultaneous] positioning apparatus [in an abduction dimension and a lithotomy dimension] comprising:

a mounting device,

a support device[, having a longitudinal axis, for supporting] lockable relative to the mounting device and releasable to rotate relative to the mounting device about a first plurality of axes,

a leg [cradle;] holder lockable [a clamping device for mounting a proximate end of said] relative to the support device and releasable to move relative to [a mounting device having a first axis transverse to said longitudinal axis and selectively simultaneously clamping and releasing motion of said support device about said first axis and] the support device about a second plurality of axes, [axis transverse to both said first axis and said longitudinal axis, said]

a first handle moveable to lock the support device [fixed in said clamping device] from rotation about [said longitudinal axis] the first plurality of axes relative to the mounting devices and moveable to unlock the support device for rotation about the first plurality of axes relative to the mounting device; [an actuator device for actuating said clamping device to simultaneously selectively clamp and release said support device and said mounting device;], and

a second handle moveable to lock the leg holder from moving [an operator device remote from said clamping device and said actuator device for operating said actuator device to enable said support device to move jointly] about [both said first and said] the second plurality of axes [in the abduction and lithotomy dimensions] relative to the support device and moveable to unlock the leg holder for movement about the second plurality of axes relative to the support device.